

TWELFTH DAY

MORNING SESSION

Senate Chamber, Olympia  
Friday, January 19, 2018

The Senate was called to order at 10:03 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all Senators were present with the exception of Senator Baumgartner.

The Sergeant at Arms Color Guard consisting of Pages Miss Dee Anna Bricker and Mr. Timothy Jasa, presented the Colors.

Miss Kate Hansen led the Senate in the Pledge of Allegiance.

The prayer was offered by Reverend Angela Ying of Bethany United Church of Christ, Seattle. Reverend Ying was a guest of Senator Hasegawa.

MOTION

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

January 18, 2018

SB 5074 Prime Sponsor, Senator Frockt: Aligning eligibility for the college bound scholarship program with the state need grant program. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 5074 be substituted therefor, and the substitute bill do pass. Signed by Senators Ranker, Chair; Palumbo, Vice Chair; Hawkins, Ranking Member; Carlyle; Liias; Milosca and Nelson.

MINORITY recommendation: Do not pass. Signed by Senators Ericksen and Short.

Referred to Committee on Rules for second reading.

January 18, 2018

SB 5251 Prime Sponsor, Senator Takko: Concerning tourism marketing. Reported by Committee on Economic Development & International Trade

MAJORITY recommendation: That Third Substitute Senate Bill No. 5251 be substituted therefor, and the third substitute bill do pass. Signed by Senators Chase, Chair; Takko, Vice Chair; Brown, Ranking Member; Wagoner and Wellman.

Referred to Committee on Ways & Means.

January 18, 2018

SB 5598 Prime Sponsor, Senator Pedersen: Granting relatives, including but not limited to grandparents, the right to seek visitation with a child through the courts. Reported by

Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Angel, Assistant Ranking Member; Darneille; Frockt and Wilson.

MINORITY recommendation: Do not pass. Signed by Senator Padden, Ranking Member.

Referred to Committee on Rules for second reading.

January 18, 2018

SB 5624 Prime Sponsor, Senator Hasegawa: Concerning transparency in retail electrical customer billing. Reported by Committee on Energy, Environment & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 5624 be substituted therefor, and the substitute bill do pass. Signed by Senators Carlyle, Chair; Palumbo, Vice Chair; Ericksen, Ranking Member; Brown; Hawkins; Hobbs; McCoy; Ranker; Sheldon and Wellman.

Referred to Committee on Rules for second reading.

January 18, 2018

SB 5627 Prime Sponsor, Senator Kuderer: Concerning the sale of manufactured/mobile home communities. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: That Substitute Senate Bill No. 5627 be substituted therefor, and the substitute bill do pass. Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Angel, Ranking Member; Fortunato; Hobbs and Kuderer.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Baumgartner.

Referred to Committee on Ways & Means.

January 18, 2018

SB 5643 Prime Sponsor, Senator Wellman: Concerning lead-based paint certification fees. Reported by Committee on Energy, Environment & Technology

MAJORITY recommendation: Do pass. Signed by Senators Carlyle, Chair; Palumbo, Vice Chair; Hawkins; Hobbs; McCoy; Ranker; Sheldon and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Ericksen, Ranking Member and Brown.

Referred to Committee on Rules for second reading.

January 18, 2018

SB 5928 Prime Sponsor, Senator Rivers: Making financial services available to marijuana producers, processors, retailers, qualifying patients, health care professionals, and designated providers as authorized under chapters 69.50 and 69.51A RCW. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: That Substitute Senate Bill No. 5928 be substituted therefor, and the substitute bill do pass. Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Baumgartner; Fortunato; Hobbs and Kuderer.

MINORITY recommendation: Do not pass. Signed by Senator Angel, Ranking Member.

Referred to Committee on Rules for second reading.

January 18, 2018

SB 5989 Prime Sponsor, Senator Padden: Concerning small claims court. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5989 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Angel, Assistant Ranking Member; Padden, Ranking Member; Darneille; Frockt and Wilson.

Referred to Committee on Rules for second reading.

January 18, 2018

SB 6017 Prime Sponsor, Senator Fain: Concerning consumer protections for military service members on active duty. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Angel, Assistant Ranking Member; Padden, Ranking Member; Darneille; Frockt and Wilson.

Referred to Committee on Rules for second reading.

January 18, 2018

SB 6025 Prime Sponsor, Senator Dhingra: Increasing success in therapeutic courts. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6025 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Angel, Assistant Ranking Member; Padden, Ranking Member; Darneille; Frockt and Wilson.

Referred to Committee on Ways & Means.

January 18, 2018

SB 6029 Prime Sponsor, Senator Liias: Establishing a student loan bill of rights. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 6029 be substituted therefor, and the substitute bill do pass. Signed by Senators Ranker, Chair; Palumbo, Vice Chair; Hawkins, Ranking Member; Carlyle; Liias; Miloscia and Nelson.

MINORITY recommendation: Do not pass. Signed by Senator Ericksen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Short.

Referred to Committee on Ways & Means.

January 18, 2018

SB 6035 Prime Sponsor, Senator Mullet: Allowing property insurers to assist their insureds with risk mitigation goods or services. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: That Substitute Senate Bill No. 6035 be substituted therefor, and the substitute bill do pass. Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Angel, Ranking Member; Fortunato; Hobbs and Kuderer.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Baumgartner.

Referred to Committee on Rules for second reading.

January 18, 2018

SB 6039 Prime Sponsor, Senator Fain: Concerning the uniform unsworn declarations act. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Angel, Assistant Ranking Member; Padden, Ranking Member; Darneille; Frockt and Wilson.

Referred to Committee on Rules for second reading.

January 18, 2018

SB 6040 Prime Sponsor, Senator Pedersen: Addressing meetings under the business corporations act. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Angel, Assistant Ranking Member; Padden, Ranking Member; Darneille; Frockt and Wilson.

Referred to Committee on Rules for second reading.

January 18, 2018

SB 6041 Prime Sponsor, Senator Pedersen: Concerning civil legal aid. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6041 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Angel, Assistant Ranking Member; Padden, Ranking Member; Darneille; Frockt and Wilson.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Dhingra, Vice Chair.

Referred to Committee on Rules for second reading.

January 18, 2018

SB 6073 Prime Sponsor, Senator Takko: Adjusting assessments levied on hardwood processors. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; McCoy, Vice Chair; Warnick, Ranking Member; Honeyford and Nelson.

Referred to Committee on Rules for second reading.

TWELFTH DAY, JANUARY 19, 2018

2018 REGULAR SESSION

January 18, 2018

SB 6078 Prime Sponsor, Senator Palumbo: Creating an apprenticeship program for inmates. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Ranker, Chair; Palumbo, Vice Chair; Hawkins, Ranking Member; Carlyle; Ericksen; Liias; Miloscia; Nelson and Short.

Referred to Committee on Ways & Means.

January 18, 2018

SB 6085 Prime Sponsor, Senator Hasegawa: Addressing the linked deposit program. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Angel, Ranking Member; Fortunato; Hobbs and Kuderer.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Baumgartner.

Referred to Committee on Rules for second reading.

January 18, 2018

SB 6097 Prime Sponsor, Senator Ranker: Creating a task force on the outdoor recreation industry. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 6097 be substituted therefor, and the substitute bill do pass. Signed by Senators Ranker, Chair; Palumbo, Vice Chair; Hawkins, Ranking Member; Carlyle; Ericksen; Liias; Miloscia; Nelson and Short.

Referred to Committee on Ways & Means.

January 18, 2018

SB 6101 Prime Sponsor, Senator Ranker: Establishing the evergreen investment scholarship program. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 6101 be substituted therefor, and the substitute bill do pass. Signed by Senators Ranker, Chair; Palumbo, Vice Chair; Carlyle; Liias; Miloscia and Nelson.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member; Ericksen and Short.

Referred to Committee on Ways & Means.

January 18, 2018

SB 6125 Prime Sponsor, Senator Honeyford: Extending the expiration date of the department of ecology's authority to enter into voluntary regional agreements. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; McCoy, Vice Chair; Warnick, Ranking Member; Honeyford and Nelson.

Referred to Committee on Rules for second reading.

January 18, 2018

SB 6140 Prime Sponsor, Senator King: Promoting the efficient and effective management of state-managed lands. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; McCoy, Vice Chair; Warnick, Ranking Member; Honeyford and Nelson.

Referred to Committee on Rules for second reading.

January 18, 2018

SB 6159 Prime Sponsor, Senator Takko: Concerning the reauthorization of the underground storage tank program. Reported by Committee on Energy, Environment & Technology

MAJORITY recommendation: Do pass. Signed by Senators Carlyle, Chair; Palumbo, Vice Chair; Ericksen, Ranking Member; Brown; Hawkins; Hobbs; McCoy; Ranker; Sheldon and Wellman.

Referred to Committee on Rules for second reading.

January 18, 2018

SB 6179 Prime Sponsor, Senator Carlyle: Concerning the annual reporting requirements for regulated utility and transportation companies. Reported by Committee on Energy, Environment & Technology

MAJORITY recommendation: Do pass. Signed by Senators Carlyle, Chair; Palumbo, Vice Chair; Hawkins; Hobbs; McCoy; Ranker; Sheldon and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Ericksen, Ranking Member and Brown.

Referred to Committee on Rules for second reading.

January 18, 2018

SB 6211 Prime Sponsor, Senator Hawkins: Concerning the federal lands revolving account. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; McCoy, Vice Chair; Warnick, Ranking Member; Honeyford and Nelson.

Referred to Committee on Rules for second reading.

January 18, 2018

SB 6368 Prime Sponsor, Senator Warnick: Updating laws concerning agricultural fairs, youth shows, and exhibitions. Reported by Committee on Economic Development & International Trade

MAJORITY recommendation: Do pass. Signed by Senators Chase, Chair; Takko, Vice Chair; Brown, Ranking Member; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

January 18, 2018

SB 6384 Prime Sponsor, Senator Warnick: Providing the director of the department of fish and wildlife the authority to issue permits to the Wanapum Indians for other freshwater food fish for ceremonial and subsistence purposes. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; McCoy, Vice Chair; Warnick, Ranking Member; Honeyford and Nelson.

Referred to Committee on Rules for second reading.

January 18, 2018

SGA 9020 FRANK E. FENNERTY, JR., reappointed on June 26, 2013, for the term ending June 17, 2019, as Member of the Board of Industrial Insurance Appeals. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Keiser, Chair; Hasegawa, Vice Chair; Braun; Conway; King; Kuderer; Saldaña and Wilson.

Referred to Committee on Rules for second reading.

January 18, 2018

SGA 9047 JULIA L. PATTERSON, appointed on April 11, 2014, for the term ending June 30, 2018, as Member of the Gambling Commission. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Keiser, Chair; Hasegawa, Vice Chair; Braun; Conway; King; Kuderer; Saldaña and Wilson.

Referred to Committee on Rules for second reading.

January 18, 2018

SGA 9070 BUD SIZEMORE, appointed on April 11, 2014, for the term ending June 30, 2019, as Member of the Gambling Commission. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Keiser, Chair; Hasegawa, Vice Chair; Braun; Conway; King; Kuderer; Saldaña and Wilson.

Referred to Committee on Rules for second reading.

January 18, 2018

SGA 9110 CATHERINE SHAFFER, reappointed on September 18, 2015, for the term ending August 2, 2018, as Member of the Sentencing Guidelines Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Angel, Assistant Ranking Member; Padden, Ranking Member; Darneille; Frockt and Wilson.

Referred to Committee on Rules for second reading.

January 18, 2018

SGA 9159 VALORIA A. LOVELAND, reappointed on

July 31, 2015, for the term ending August 2, 2021, as Member of the Lottery Commission. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Keiser, Chair; Hasegawa, Vice Chair; Braun; Conway; King; Kuderer; Saldaña and Wilson.

Referred to Committee on Rules for second reading.

January 18, 2018

SGA 9195 FREDERICK W. FINN, reappointed on August 9, 2016, for the term ending August 2, 2022, as Member of the Lottery Commission. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Keiser, Chair; Hasegawa, Vice Chair; Braun; Conway; King; Kuderer; Saldaña and Wilson.

Referred to Committee on Rules for second reading.

January 18, 2018

SGA 9222 RUSSELL D. HAUGE, appointed on November 1, 2016, for the term ending August 2, 2019, as Chair of the Sentencing Guidelines Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Darneille; Frockt and Wilson.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Angel, Assistant Ranking Member.

Referred to Committee on Rules for second reading.

January 18, 2018

SGA 9235 LINDA WILLIAMS, appointed on November 29, 2016, for the term ending June 17, 2021, as Chair of the Industrial Insurance Appeals Board. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Keiser, Chair; Hasegawa, Vice Chair; Braun; Conway; King; Kuderer; Saldaña and Wilson.

Referred to Committee on Rules for second reading.

January 18, 2018

SGA 9242 BARBARA BAKER, appointed on January 17, 2017, for the term ending December 31, 2022, as Member of the Fish and Wildlife Commission. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Van De Wege, Chair; McCoy, Vice Chair; Warnick, Ranking Member; Honeyford and Nelson.

Referred to Committee on Rules for second reading.

January 18, 2018

SGA 9244 KIM M THORBURN, reappointed on January 23, 2017, for the term ending December 31, 2022, as Member of the Fish and Wildlife Commission. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Van De Wege, Chair; McCoy, Vice Chair; Warnick, Ranking Member and Nelson.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Honeyford.

Referred to Committee on Rules for second reading.

January 18, 2018

SGA 9246 OLLIE A. GARRETT, reappointed on January 31, 2017, for the term ending January 15, 2023, as Member of the Liquor and Cannabis Board. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Keiser, Chair; Hasegawa, Vice Chair; Braun; Conway; King; Kuderer; Saldaña and Wilson.

Referred to Committee on Rules for second reading.

January 18, 2018

SGA 9255 DAVID W. GRAYBILL, appointed on March 19, 2015, for the term ending December 31, 2020, as Member of the Fish and Wildlife Commission. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Van De Wege, Chair; McCoy, Vice Chair; Warnick, Ranking Member; Honeyford and Nelson.

Referred to Committee on Rules for second reading.

January 18, 2018

SGA 9301 LARRY M. CARPENTER, reappointed on August 14, 2017, for the term ending December 31, 2018, as Member of the Fish and Wildlife Commission. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Van De Wege, Chair; McCoy, Vice Chair; Warnick, Ranking Member; Honeyford and Nelson.

Referred to Committee on Rules for second reading.

January 18, 2018

SGA 9302 DONALD O. MCISAAC, appointed on August 14, 2017, for the term ending December 31, 2022, as Member of the Fish and Wildlife Commission. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Van De Wege, Chair; McCoy, Vice Chair; Warnick, Ranking Member; Honeyford and Nelson.

Referred to Committee on Rules for second reading.

January 18, 2018

SGA 9311 JON J. TUNHEIM, reappointed on September 11, 2017, for the term ending August 2, 2020, as Member of the Sentencing Guidelines Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Angel, Assistant Ranking Member; Padden, Ranking Member; Darneille; Frockt and Wilson.

Referred to Committee on Rules for second reading.

MOTION

On motion of Liias, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 6025 and Senate Bill No. 6097 which were designated to the Committee on Rules and referred to the Committee on Ways & Means.

MOTION

On motion of Senator Liias, the Senate advanced to the third order of business.

MESSAGE FROM THE GOVERNOR  
GUBERNATORIAL APPOINTMENTS

January 15, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JOHN C. SCRAGG, appointed January 19, 2018, for the term ending December 26, 2020, as Member of the Board of Pilotage Commissioners.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Transportation as Senate Gubernatorial Appointment No. 9357.

January 17, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

NEIL L. WISE, appointed February 1, 2018, for the term ending June 30, 2020, as Member of the Pollution Control/Shorelines Hearings Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Energy, Environment & Technology as Senate Gubernatorial Appointment No. 9358.

January 18, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject

to your confirmation.

MICHAEL L. ANTHONY, appointed January 19, 2018, for the term ending December 26, 2019, as Member of the Board of Pilotage Commissioners.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Transportation as Senate Gubernatorial Appointment No. 9359.

January 18, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

CRYSTAL DONNER, appointed January 18, 2018, for the term ending April 3, 2021, as Member of the State Board for Community and Technical Colleges.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9360.

January 18, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

RANDY J. ROBINSON, reappointed January 18, 2018, for the term ending June 30, 2021, as Member of the Housing Finance Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Financial Institutions & Insurance as Senate Gubernatorial Appointment No. 9361.

#### MOTION

On motion of Senator Liias, all appointees listed on the Gubernatorial Appointments report were referred to the committees as designated.

#### MOTION

On motion of Senator Liias, the Senate advanced to the fourth order of business.

#### MESSAGES FROM THE HOUSE

January 18, 2018

MR. PRESIDENT:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 1022,

HOUSE BILL NO. 1221,

SECOND SUBSTITUTE HOUSE BILL NO. 1293,

ENGROSSED SECOND SUBSTITUTE HOUSE BILL

NO. 1561,

HOUSE BILL NO. 1640,

ENGROSSED HOUSE BILL NO. 1742,

HOUSE BILL NO. 1939,

SECOND ENGROSSED SUBSTITUTE HOUSE BILL

NO. 2057,

HOUSE BILL NO. 2344,

HOUSE BILL NO. 2346,

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

January 18, 2018

MR. PRESIDENT:

The House has passed:

SUBSTITUTE SENATE BILL NO. 6090.

and the same is herewith transmitted.

NONA SNELL, Deputy Chief Clerk

#### MOTION

On motion of Senator Liias, the Senate advanced to the fifth order of business.

#### INTRODUCTION AND FIRST READING

SB 6474 by Senator McCoy

AN ACT Relating to creating a pilot project for tribal compact schools that accommodates cultural and agricultural events in school attendance requirements; and adding a new section to chapter 28A.715 RCW.

Referred to Committee on Early Learning & K-12 Education.

SB 6475 by Senators Hobbs, Palumbo, King, Wagoner, McCoy and Liias

AN ACT Relating to regional transit authority property taxes imposed on less than a whole parcel; amending RCW 81.104.175; adding a new section to chapter 84.56 RCW; creating a new section; providing an expiration date; and declaring an emergency.

Referred to Committee on Transportation.

SB 6476 by Senators Wagoner, Rivers, Fortunato, Angel, Takko, Wilson, Schoesler, Zeiger, Ericksen, Braun, Warnick, Becker, Short, Brown, Padden, Sheldon, Honeyford and Bailey

AN ACT Relating to establishing an exemption from background check requirements for firearms sales or transfers between concealed pistol license holders; and amending RCW 9.41.113.

Referred to Committee on Law & Justice.

SB 6477 by Senators Rolfes, Palumbo and Ranker

AN ACT Relating to the voluntary option to purchase qualified alternative energy resources; and amending RCW 19.29A.090.

Referred to Committee on Energy, Environment & Technology.

SB 6478 by Senator Warnick

AN ACT Relating to activities attendant to operating a truck; amending RCW 51.08.180; creating a new section; and providing an effective date.

Referred to Committee on Labor & Commerce.

SB 6479 by Senator Conway

AN ACT Relating to the training and monitoring of guardians; adding a new section to chapter 11.88 RCW; and creating a new section.

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Referred to Committee on Law & Justice.

**SB 6480** by Senators Mullet and Angel

AN ACT Relating to local government infrastructure needs; amending RCW 43.79A.040 and 43.155.030; and adding a new chapter to Title 43 RCW.

Referred to Committee on Financial Institutions & Insurance.

**SB 6481** by Senators Brown, Palumbo and Rivers

AN ACT Relating to creating a sales tax deferral for construction and expenditure costs of manufacturing facilities; amending RCW 82.85.010, 82.85.020, 82.85.030, 82.85.040, 82.85.050, and 82.85.080; and providing expiration dates.

Referred to Committee on Ways & Means.

**SB 6482** by Senators Walsh, Palumbo and Chase

AN ACT Relating to home cultivation of marijuana; and amending RCW 69.50.4013.

Referred to Committee on Labor & Commerce.

**SB 6483** by Senators Conway, Darneille and Keiser

AN ACT Relating to revising education funding reform provisions to enhance uniformity, flexibility, and special education funding; amending RCW 28A.150.412, 84.52.0531, 28A.500.015, 28A.150.390, 28A.150.260, and 28A.165.005; and providing an effective date.

Referred to Committee on Early Learning & K-12 Education.

**SB 6484** by Senator Mullet

AN ACT Relating to nuisance abatement and foreclosures; amending RCW 35.21.955 and 61.24.030; adding a new section to chapter 35.21 RCW; adding a new section to chapter 61.24 RCW; and adding a new section to chapter 61.12 RCW.

Referred to Committee on Financial Institutions & Insurance.

**SB 6485** by Senators Warnick and Darneille

AN ACT Relating to improving access to mental health services for children and youth; amending RCW 74.09.495, 71.24.385, 71.24.045, and 28A.630.500; adding new sections to chapter 74.09 RCW; adding a new section to chapter 43.216 RCW; adding a new section to chapter 28B.20 RCW; creating new sections; providing an effective date; and providing expiration dates.

Referred to Committee on Human Services & Corrections.

**SB 6486** by Senators Ranker, Zeiger, Palumbo, Hasegawa, Wellman, Miloscia, Keiser, Conway, Darneille, O'Ban and Sheldon

AN ACT Relating to expanding registered apprenticeship programs; adding a new section to chapter 49.04 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Higher Education & Workforce Development.

**SB 6487** by Senators Darneille, O'Ban, Palumbo, Takko, Conway and Liias

AN ACT Relating to the redevelopment of an area overlapping the boundary between two adjacent cities; and amending RCW 35.10.217, 35.13.178, and 36.93.105.

Referred to Committee on Local Government.

**SB 6488** by Senators Carlyle and Liias

AN ACT Relating to ticket sales over the internet; amending RCW 19.345.005 and 19.345.010; adding new sections to chapter 19.345 RCW; and prescribing penalties.

Referred to Committee on Labor & Commerce.

**SB 6489** by Senators Saldaña, Hobbs, King, Sheldon, Schoesler and Padden

AN ACT Relating to changing the baseball stadium based special license plate; reenacting and amending RCW 46.17.220, 46.18.200, and 46.68.420; repealing RCW 46.18.215; and providing an effective date.

Referred to Committee on Transportation.

**SB 6490** by Senator Takko

AN ACT Relating to authorizing cities planning under the growth management act to impose certain real estate excise taxes by councilmatic action; and amending RCW 82.46.035.

Referred to Committee on Local Government.

**SB 6491** by Senators O'Ban and Darneille

AN ACT Relating to increasing the availability of assisted outpatient behavioral health treatment; amending RCW 71.05.020, 71.05.150, 71.05.150, 71.05.230, 71.05.240, 71.05.590, 71.05.590, and 71.05.201; reenacting and amending RCW 71.05.585 and 71.05.240; adding a new section to chapter 71.05 RCW; providing effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Human Services & Corrections.

**SB 6492** by Senators O'Ban, Kuderer, Conway, Darneille, Saldaña, Padden, Hasegawa, Ranker, Keiser, Schoesler, Becker, Wilson, Warnick, Brown, Zeiger and Miloscia

AN ACT Relating to child sex trafficking; adding a new chapter to Title 4 RCW; creating a new section; and providing an effective date.

Referred to Committee on Law & Justice.

**SB 6493** by Senators Billig, Palumbo, Ranker and Carlyle

AN ACT Relating to increased transparency and accountability for intercollegiate athletic programs at public colleges and universities; and adding a new section to chapter 28B.15 RCW.

Referred to Committee on Higher Education & Workforce Development.

**SB 6494** by Senator Hunt

AN ACT Relating to the Olympia and Tumwater school district regionalization factors; amending 2017 3rd sp.s. c 1 s 503 (uncodified); and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

**SB 6495** by Senators Becker and Cleveland

AN ACT Relating to expanding the extension for community healthcare outcomes program; adding a new section to chapter 28B.20 RCW; creating a new section; and making an appropriation.

Referred to Committee on Health & Long Term Care.

**SB 6496** by Senators Becker, Rivers and Brown

AN ACT Relating to encouraging transparency within the department of social and health services; amending RCW 71.24.037; and adding a new section to chapter 71.24 RCW.

Referred to Committee on Human Services & Corrections.

**SB 6497** by Senators Becker, Darneille, Fain and Brown

AN ACT Relating to the use of independent contractors to address delays in providing forensic competency evaluations; and amending RCW 10.77.073.

Referred to Committee on Human Services & Corrections.

**SB 6498** by Senators Becker, Fain, Rivers, Brown, Bailey and Warnick

AN ACT Relating to training and certification for community health workers; adding a new section to chapter 43.70 RCW; and creating new sections.

Referred to Committee on Health & Long Term Care.

**SB 6499** by Senators Brown and Takko

AN ACT Relating to creating the building business ecosystems act; adding a new section to chapter 82.14 RCW; and adding a new chapter to Title 39 RCW.

Referred to Committee on Economic Development & International Trade.

**SB 6500** by Senators Saldaña, Fortunato and Billig

AN ACT Relating to transportation network companies; amending RCW 46.72.010, 46.72.030, 43.79A.040, 46.72.040, 48.177.010, 46.72.110, and 46.72.160; adding new sections to chapter 46.72 RCW; recodifying RCW 48.177.010; repealing RCW 48.177.005 and 46.72.039; and prescribing penalties.

Referred to Committee on Transportation.

**2SHB 1506** by House Committee on Labor & Workplace Standards (originally sponsored by Representatives Senn, Pellicciotti, Slatter, Macri, Peterson, Chapman, Ortiz-Self, Bergquist, Sawyer, Frame, Gregerson, Farrell, Kilduff, Kagi, Dolan, Clibborn, Pollet, McBride, Stanford, Doglio, Appleton, Robinson, Fitzgibbon, Sells, Goodman, Tharinger, Hudgins, Ormsby, Riccelli, Fey and Pettigrew)

AN ACT Relating to workplace practices to achieve gender pay equity; amending RCW 49.12.175; adding a new chapter

to Title 49 RCW; recodifying RCW 49.12.175; and prescribing penalties.

Referred to Committee on Labor & Commerce.

**HB 2007** by Representatives Kagi, Appleton, Hudgins, Jinkins, Johnson, Kilduff, Senn, Tarleton, Frame, Stonier, Stambaugh, Lytton, Macri, Robinson, Ormsby, Doglio, Slatter and Pollet

AN ACT Relating to commemorating the centennial of national women's suffrage; adding a new chapter to Title 27 RCW; and providing an expiration date.

Referred to Committee on State Government, Tribal Relations & Elections.

**MOTION**

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

**SIGNED BY THE PRESIDENT**

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

SUBSTITUTE SENATE BILL NO. 6090.

**MOTION**

On motion of Senator Liias, the Senate advanced to the seventh order of business.

**THIRD READING****CONFIRMATION OF GUBERNATORIAL APPOINTMENTS****MOTION**

Senator Darneille moved that Kecia L. Rongen, Senate gubernatorial Appointment No. 9259, be confirmed as a member of the Indeterminate Sentence Review Board.

Senators Darneille and Padden spoke in favor of passage of the motion.

**APPOINTMENT OF KECIA L. RONGEN**

The President declared the question before the Senate to be the confirmation of Kecia L. Rongen, Senate gubernatorial Appointment No. 9259, as a member of the Indeterminate Sentence Review Board.

The Secretary called the roll on the confirmation of Kecia L. Rongen, Senate gubernatorial Appointment No. 9259, as a member of the Indeterminate Sentence Review Board and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Erickson, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson and Zeiger

Absent: Senator Baumgartner

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Kecia L. Rongen, Senate Gubernatorial Appointment No. 9259, having received the constitutional majority was declared confirmed as a member of the Indeterminate Sentence Review Board.

## MOTION

On motion of Senator Bailey, Senator Baumgartner was excused.

## MOTION

Senator Rolfes moved that Phil Rockefeller, Senate Gubernatorial Appointment No. 9122, be confirmed as a member of the Salmon Recovery Funding Board.

Senators Rolfes and Sheldon spoke in favor of passage of the motion.

## MOTION

On motion of Senator Mullet, Senator Hobbs was excused.

## APPOINTMENT OF PHIL ROCKEFELLER

The President declared the question before the Senate to be the confirmation of Phil Rockefeller, Senate Gubernatorial Appointment No. 9122, as a member of the Salmon Recovery Funding Board.

The Secretary called the roll on the confirmation of Phil Rockefeller, Senate Gubernatorial Appointment No. 9122, as a member of the Salmon Recovery Funding Board and the appointment was confirmed by the following vote: Yeas, 44; Nays, 3; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Sheldon, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senators Honeyford, Schoesler and Short  
Excused: Senators Baumgartner and Hobbs

Phil Rockefeller, Senate Gubernatorial Appointment No. 9122, having received the constitutional majority was declared confirmed as a member of the Salmon Recovery Funding Board.

## INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced students from Eidelwild Elementary School, guests of Senator O'Ban, who were seated in the gallery.

## THIRD READING

## CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

## MOTION

Senator Keiser moved that Dale R. Peinecke, Senate Gubernatorial Appointment No. 9003, be confirmed as Commissioner of the Employment Security Department.

Senator Keiser spoke in favor of the motion.

## APPOINTMENT OF DALE R. PEINECKE

The President declared the question before the Senate to be the confirmation of Dale R. Peinecke, Senate Gubernatorial Appointment No. 9003, as Commissioner of the Employment Security Department.

The Secretary called the roll on the confirmation of Dale R. Peinecke, Senate Gubernatorial Appointment No. 9003, as a Commissioner of the Employment Security Department and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson and Zeiger

Excused: Senator Baumgartner

Dale R. Peinecke, Senate Gubernatorial Appointment No. 9003, having received the constitutional majority was declared confirmed as Commissioner of the Employment Security Department.

## MOTION

Senator Carlyle moved that, Joan M. Marchioro, Senate Gubernatorial Appointment No. 9014, be confirmed as a member of the Pollution Control/ Shorelines Hearings Board.

Senator Carlyle spoke in favor of the motion.

## APPOINTMENT OF JOAN M. MARCHIORO

The President declared the question before the Senate to be the confirmation of Joan M. Marchioro, Senate Gubernatorial Appointment No. 9014, as a member of the Pollution Control/ Shorelines Hearings Board.

The Secretary called the roll on the confirmation of Joan M. Marchioro, Senate Gubernatorial Appointment No. 9014, as a member of the Pollution Control/ Shorelines Hearings Board and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson and Zeiger

Excused: Senator Baumgartner

Joan M. Marchioro, Senate Gubernatorial Appointment No. 9014, having received the constitutional majority was declared confirmed as a member of the Pollution Control/ Shorelines Hearings Board.

## MOTION

On motion of Senator Liias, the Senate advanced to the fourth order of business.

## MESSAGES FROM THE HOUSE

January 19, 2018

MR. PRESIDENT:

The Speaker has signed:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL  
NO. 1080,

and the same is herewith transmitted.

NONA SNELL, Deputy Chief Clerk

January 19, 2018

MR. PRESIDENT:

The Speaker has signed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 6091,  
and the same is herewith transmitted.

BERNARD DEAN, Chief Clerk

## SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.  
1080.

## MOTION

On motion of Senator Liias, the Senate advanced to the seventh order of business.

## THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 6002, by Senate Committee on State Government, Tribal Relations & Elections (originally sponsored by Senators Saldaña, Billig, Palumbo, Frockt, Rolfes, Van De Wege, Liias, Ranker, Keiser, Pedersen, Hunt, Wellman, Conway, Chase, McCoy, Dhingra, Kuderer, Hasegawa, Nelson, Carlyle and Mullet)

Enacting the Washington voting rights act of 2018.

The bill was read on Third Reading.

Senators Saldaña, Hunt and Hasegawa spoke in favor of passage of the bill.

Senators Padden, Ericksen and Walsh spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6002.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6002 and the passed the Senate by the following vote: Yeas, 29; Nays, 19; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Fain, Frockt, Hasegawa, Hawkins, Hobbs, Hunt, Keiser, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, Palumbo, Pedersen, Ranker, Rolfes, Saldaña, Sheldon, Takko, Van De Wege and Wellman

Voting nay: Senators Angel, Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Short, Wagoner, Walsh, Warnick, Wilson and Zeiger

Excused: Senator Baumgartner

ENGROSSED SUBSTITUTE SENATE BILL NO. 6002, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## THIRD READING

SECOND SUBSTITUTE SENATE BILL NO. 5179, by Senate Committee on Ways & Means (originally sponsored by Senators Bailey, Keiser, Palumbo, Hasegawa and Conway)

Requiring coverage for hearing instruments under public employee and medicaid programs.

The bill was read on Third Reading.

## MOTION

On motion of Senator Bailey, the rules were suspended and Second Substitute Senate Bill No. 5179 was returned to second reading for the purposes of amendment.

## MOTION

Senator Bailey moved that the following striking amendment no. 339 by Senators Angel, Bailey, Brown, Rivers, Short and Warnick be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 41.05 RCW to read as follows:

(1) Subject to appropriation, a health plan offered to employees and their covered dependents under this chapter issued or renewed on or after January 1, 2019, must include coverage for hearing instruments. Coverage must include a new hearing instrument every five years and services and supplies such as the initial assessment, fitting, adjustment, and auditory training.

(2) The hearing instrument must be recommended by a licensed audiologist or hearing aid specialist and dispensed by a licensed audiologist or hearing aid specialist.

(3) For the purposes of this section, "hearing instrument" and "hearing aid specialist" have the same meaning as defined in RCW 18.35.010.

NEW SECTION. Sec. 2. A new section is added to chapter 74.09 RCW to read as follows:

(1) The medical assistance coverage offered under this chapter issued or renewed on or after January 1, 2019, must include coverage for hearing instruments when medically necessary. Coverage must include a new hearing instrument every five years, a new hearing instrument when alterations to the existing hearing instrument cannot meet the needs of the patient, and services and supplies such as the initial assessment, fitting, adjustment, and auditory training.

(2) The hearing instrument must be recommended by a licensed audiologist or hearing aid specialist and dispensed by a licensed audiologist or hearing aid specialist.

(3) For purposes of this section, "hearing instrument" and "hearing aid specialist" have the same meaning as defined in RCW 18.35.010.

NEW SECTION. Sec. 3. If specific funding for the purposes of section 2 of this act, referencing section 2 of this act by bill or chapter number and section number, is not provided by June 30, 2018, in the omnibus appropriations act, section 2 of this

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act is null and void."

On page 1, line 2 of the title, after "programs;" strike the remainder of the title and insert "adding a new section to chapter 41.05 RCW; adding a new section to chapter 74.09 RCW; and creating a new section."

Senators Bailey and Cleveland spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 339 by Senators Angel, Bailey, Brown, Rivers, Short and Warnick to Second Substitute Senate Bill No. 5179.

The motion by Senator Bailey carried and striking amendment no. 339 was adopted by voice vote.

MOTION

On motion of Senator Bailey, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5179 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Bailey and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5179.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5179 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson and Zeiger

Excused: Senator Baumgartner

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5179, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Liias, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5722, by Senators Liias, Walsh, Ranker, Pedersen, Rivers, Keiser, Fain, Frockt, Hunt and Kuderer

Restricting the practice of conversion therapy.

The measure was read the second time.

MOTION

Senator Short moved that the following amendment no. 357 by Senator Short be adopted:

On page 2, line 18, after ""conversion therapy."" insert ""Conversion therapy" does not include counseling that provides support and understanding to facilitate a person's coping, social support, and identity exploration and development."

Senator Short spoke in favor of adoption of the amendment. Senators Cleveland and Liias spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 357 by Senator Short on page 2, line 18 to Senate Bill No. 5722.

The motion by Senator Short did not carry and amendment no. 357 was not adopted by voice vote.

MOTION

Senator Short moved that the following amendment no. 354 by Senator Short be adopted:

On page 6, line 5, after "eighteen" insert "," unless the patient is age thirteen years or older and requests to receive conversion therapy or the patient is under age thirteen and receives parental authorization or authorization from a person who may consent on behalf of the minor pursuant to RCW 71.34.530"

Senator Short spoke in favor of adoption of the amendment. Senator Cleveland spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 354 by Senator Short on page 6, line 5 to Senate Bill No. 5722.

The motion by Senator Short did not carry and amendment no. 354 was not adopted by voice vote.

MOTION

Senator O'Ban moved that the following striking amendment no. 353 by Senator O'Ban be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 4. The legislature intends to regulate the professional conduct of licensed health care providers with respect to performing aversive mental health therapies on patients under the age of eighteen. This includes, but is not limited to, aversive efforts that seek to change an individual's sexual orientation, that seek to stop an individual from using tobacco products, or that seek to stop an individual from using alcohol, prescription drugs, or other controlled substances.

Sec. 5. RCW 18.130.020 and 2008 c 134 s 2 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Board" means any of those boards specified in RCW 18.130.040.

(2) "Clinical expertise" means the proficiency or judgment that a license holder in a particular profession acquires through clinical experience or clinical practice and that is not possessed by a lay person.

(3) "Commission" means any of the commissions specified in RCW 18.130.040.

(4) "Department" means the department of health.

(5) "Disciplinary action" means sanctions identified in RCW 18.130.160.

(6) "Disciplining authority" means the agency, board, or commission having the authority to take disciplinary action against a holder of, or applicant for, a professional or business license upon a finding of a violation of this chapter or a chapter specified under RCW 18.130.040.

(7) "Health agency" means city and county health departments and the department of health.

(8) "License," "licensing," and "licensure" shall be deemed equivalent to the terms "license," "licensing," "licensure," "certificate," "certification," and "registration" as those terms are defined in RCW 18.120.020.

(9) "Practice review" means an investigative audit of records related to the complaint, without prior identification of specific patient or consumer names, or an assessment of the conditions, circumstances, and methods of the professional's practice related to the complaint, to determine whether unprofessional conduct may have been committed.

(10)(a) "Prohibited aversion therapy" means a practice, treatment, or therapy involving electrical shock, extreme temperatures, prolonged isolation, chemically induced nausea or vomiting, assault as defined in chapter 9A.36 RCW, or other procedures intending to cause pain, discomfort, or unpleasant sensations to the client or patient.

(b) "Prohibited aversion therapy" does not include those practices, treatments, or therapies that are within the standards of practice for license holders under this chapter as provided in department rules.

(11) "Secretary" means the secretary of health or the secretary's designee.

~~((44))~~ (12) "Standards of practice" means the care, skill, and learning associated with the practice of a profession.

~~((42))~~ (13) "Unlicensed practice" means:

(a) Practicing a profession or operating a business identified in RCW 18.130.040 without holding a valid, unexpired, unrevoked, and unsuspended license to do so; or

(b) Representing to a consumer, through offerings, advertisements, or use of a professional title or designation, that the individual is qualified to practice a profession or operate a business identified in RCW 18.130.040, without holding a valid, unexpired, unrevoked, and unsuspended license to do so.

**Sec. 6.** RCW 18.130.180 and 2010 c 9 s 5 are each amended to read as follows:

The following conduct, acts, or conditions constitute unprofessional conduct for any license holder under the jurisdiction of this chapter:

(1) The commission of any act involving moral turpitude, dishonesty, or corruption relating to the practice of the person's profession, whether the act constitutes a crime or not. If the act constitutes a crime, conviction in a criminal proceeding is not a condition precedent to disciplinary action. Upon such a conviction, however, the judgment and sentence is conclusive evidence at the ensuing disciplinary hearing of the guilt of the license holder of the crime described in the indictment or information, and of the person's violation of the statute on which it is based. For the purposes of this section, conviction includes all instances in which a plea of guilty or nolo contendere is the basis for the conviction and all proceedings in which the sentence has been deferred or suspended. Nothing in this section abrogates rights guaranteed under chapter 9.96A RCW;

(2) Misrepresentation or concealment of a material fact in obtaining a license or in reinstatement thereof;

(3) All advertising which is false, fraudulent, or misleading;

(4) Incompetence, negligence, or malpractice which results in

injury to a patient or which creates an unreasonable risk that a patient may be harmed. The use of a nontraditional treatment by itself shall not constitute unprofessional conduct, provided that it does not result in injury to a patient or create an unreasonable risk that a patient may be harmed;

(5) Suspension, revocation, or restriction of the individual's license to practice any health care profession by competent authority in any state, federal, or foreign jurisdiction, a certified copy of the order, stipulation, or agreement being conclusive evidence of the revocation, suspension, or restriction;

~~((6) (Except when authorized by RCW 18.130.345,))~~ The possession, use, prescription for use, or distribution of controlled substances or legend drugs in any way other than for legitimate or therapeutic purposes, diversion of controlled substances or legend drugs, the violation of any drug law, or prescribing controlled substances for oneself;

(7) Violation of any state or federal statute or administrative rule regulating the profession in question, including any statute or rule defining or establishing standards of patient care or professional conduct or practice;

(8) Failure to cooperate with the disciplining authority by:

(a) Not furnishing any papers, documents, records, or other items;

(b) Not furnishing in writing a full and complete explanation covering the matter contained in the complaint filed with the disciplining authority;

(c) Not responding to subpoenas issued by the disciplining authority, whether or not the recipient of the subpoena is the accused in the proceeding; or

(d) Not providing reasonable and timely access for authorized representatives of the disciplining authority seeking to perform practice reviews at facilities utilized by the license holder;

(9) Failure to comply with an order issued by the disciplining authority or a stipulation for informal disposition entered into with the disciplining authority;

(10) Aiding or abetting an unlicensed person to practice when a license is required;

(11) Violations of rules established by any health agency;

(12) Practice beyond the scope of practice as defined by law or rule;

(13) Misrepresentation or fraud in any aspect of the conduct of the business or profession;

(14) Failure to adequately supervise auxiliary staff to the extent that the consumer's health or safety is at risk;

(15) Engaging in a profession involving contact with the public while suffering from a contagious or infectious disease involving serious risk to public health;

(16) Promotion for personal gain of any unnecessary or inefficacious drug, device, treatment, procedure, or service;

(17) Conviction of any gross misdemeanor or felony relating to the practice of the person's profession. For the purposes of this subsection, conviction includes all instances in which a plea of guilty or nolo contendere is the basis for conviction and all proceedings in which the sentence has been deferred or suspended. Nothing in this section abrogates rights guaranteed under chapter 9.96A RCW;

(18) The procuring, or aiding or abetting in procuring, a criminal abortion;

(19) The offering, undertaking, or agreeing to cure or treat disease by a secret method, procedure, treatment, or medicine, or the treating, operating, or prescribing for any health condition by a method, means, or procedure which the licensee refuses to divulge upon demand of the disciplining authority;

(20) The willful betrayal of a practitioner-patient privilege as recognized by law;

(21) Violation of chapter 19.68 RCW;

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(22) Interference with an investigation or disciplinary proceeding by willful misrepresentation of facts before the disciplining authority or its authorized representative, or by the use of threats or harassment against any patient or witness to prevent them from providing evidence in a disciplinary proceeding or any other legal action, or by the use of financial inducements to any patient or witness to prevent or attempt to prevent him or her from providing evidence in a disciplinary proceeding;

(23) Current misuse of:

- (a) Alcohol;
- (b) Controlled substances; or
- (c) Legend drugs;

(24) Abuse of a client or patient or sexual contact with a client or patient;

(25) Acceptance of more than a nominal gratuity, hospitality, or subsidy offered by a representative or vendor of medical or health-related products or services intended for patients, in contemplation of a sale or for use in research publishable in professional journals, where a conflict of interest is presented, as defined by rules of the disciplining authority, in consultation with the department, based on recognized professional ethical standards;

(26) Performing prohibited aversion therapy on a patient under age eighteen."

On page 1, line 2 of the title, after "therapy;" strike the remainder of the title and insert "amending RCW 18.130.020 and 18.130.180; and creating a new section."

Senator O'Ban spoke in favor of adoption of the striking amendment.

Senator Lias spoke against adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 353 by Senator O'Ban to Senate Bill No. 5722.

The motion by Senator O'Ban did not carry and striking amendment no. 353 was not adopted by voice vote.

#### MOTION

On motion of Senator Lias, the rules were suspended, Senate Bill No. 5722 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lias and Walsh spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5722.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5722 and the bill passed the Senate by the following vote: Yeas, 32; Nays, 16; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Fain, Frockt, Hasegawa, Hawkins, Hobbs, Hunt, Keiser, King, Kuderer, Lias, McCoy, Mullet, Nelson, Palumbo, Pedersen, Ranker, Rolfes, Saldaña, Sheldon, Takko, Van De Wege, Wagoner, Walsh and Wellman

Voting nay: Senators Angel, Bailey, Becker, Braun, Ericksen, Fortunato, Honeyford, Miloscia, O'Ban, Padden, Rivers, Schoesler, Short, Warnick, Wilson and Zeiger

Excused: Senator Baumgartner

SENATE BILL NO. 5722, having received the constitutional

majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 6003, by Senators Wellman, Billig, Palumbo, Frockt, Rolfes, Van De Wege, Lias, Keiser, Pedersen, Hunt, Conway, Chase, Saldaña and Kuderer

Concerning breakfast after the bell programs in certain public schools.

The measure was read the second time.

Senator Padden moved to refer Senate Bill No. 6003 to the Committee on Ways & Means.

Senator Lias objected to the motion by Senator Padden.

The President declared the question before the Senate to be the motion by Senator Padden that Senate Bill No. 6003 be referred to the Committee on Ways & Means.

The motion by Senator Padden did not carry and the measure held its place on the day's calendar by voice vote.

#### MOTION

Senator Zeiger moved that the following striking amendment no. 356 by Senator Zeiger be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 7. (1) The legislature finds that thoughtful and evidence-based school food programs are associated with improved outcomes for students, including reductions in tardiness, absenteeism, suspensions, and reported illnesses and visits to nurses' offices. The legislature further finds that thoughtful and evidence-based school food programs are also associated with improved student results on standardized tests and improved graduation rates.

(2) The legislature acknowledges that existing school-related farm programs play an important role in helping students to better understand the relationships between academics, food, farming, and good health.

(3) The legislature finds that the purpose of sections 1 through 7 of this act is to achieve the public policy benefits specified in subsection (1) of this section: Improved student outcomes. To do so, the legislature intends to:

(a) Expand opportunities for students to have a healthy breakfast by requiring schools with large populations of qualifying low-income students to offer breakfast after the bell programs, a program model that has increased breakfast participation rates in other states; and

(b) Increase support for school-related farm programs that have proven successful in supporting students through policies that, among other benefits, promote student health and readiness through healthy local foods and school garden projects; and

(c) Conduct an analysis of breakfast after the bell programs established in accordance with section 3 of this act.

NEW SECTION. Sec. 8. A new section is added to chapter 28A.235 RCW to read as follows:

The definitions in this section apply throughout sections 3 through 4 of this act unless the context clearly requires otherwise.

(1) "Breakfast after the bell" means a breakfast that is offered

to students after the beginning of the school day. Examples of breakfast after the bell models include, but are not limited to:

(a) "Grab and go," where easy-to-eat breakfast foods are available for students to take at the start of the school day or in between morning classes;

(b) "Second chance breakfast," where breakfast foods are available during recess, a nutrition break, or later in the morning, for students who are not hungry first thing in the morning, or who arrive late to school; and

(c) "Breakfast in the classroom," where breakfast is served in the classroom, often during homeroom or first period.

(2) "Eligible for free or reduced-price meals" means a student who is eligible under the national school lunch program or school breakfast program to receive lunch or breakfast at no cost to the student or at a reduced cost to the student.

(3) "High-needs school" means any public school: (a) That has enrollment of seventy percent or more students eligible for free or reduced-price meals in the prior school year; or (b) that is using provision two of the national school lunch act or the community eligibility provision under section 104(a) of the federal healthy, hunger-free kids act of 2010 to provide universal meals and that has a claiming percentage for free or reduced-price meals of seventy percent or more.

(4) "Public school" has the same meaning as provided in RCW 28A.150.010.

(5) "School breakfast program" means a program meeting federal requirements under 42 U.S.C. Sec. 1773.

(6) "School lunch program" means a program meeting federal requirements under 42 U.S.C. Sec. 1751.

**NEW SECTION. Sec. 9.** A new section is added to chapter 28A.235 RCW to read as follows:

(1)(a) In accordance with section 6 of this act and except as provided in subsection (2) of this section, beginning in the 2019-20 school year, each high-needs school shall offer breakfast after the bell to each student and provide adequate time for students to consume the offered food.

(b) Public schools that are not obligated by this section to offer breakfast after the bell are encouraged to do so. Nothing in this section is intended to prevent a high-needs school from implementing a breakfast after the bell program before the 2019-20 school year.

(2) High-needs schools with at least seventy percent of free or reduced-price eligible children participating in both school lunch and school breakfast are exempt from the provisions of subsection (1) of this section. The office of the superintendent of public instruction shall evaluate individual participation rates annually, and make the participation rates publicly available.

(3) Each high-needs school may determine the breakfast after the bell service model that best suits its students. Service models include, but are not limited to, breakfast in the classroom, grab and go breakfast, and second chance breakfast.

(4) All breakfasts served in a breakfast after the bell program must comply with federal meal patterns and nutrition standards for school breakfast programs under the federal healthy, hunger-free kids act of 2010, (P.L. 111-296) and any federal regulations implementing that act. In addition, each food item served in a breakfast after the bell program must contain less than twenty-five percent, by weight, added sugar. When choosing foods to serve in a breakfast after the bell program, schools must give preference to foods that are healthful and fresh, and if feasible, give preference to Washington-grown food.

(5) Subject to the availability of amounts appropriated for this specific purpose, the superintendent of public instruction shall administer one-time start-up allocation grants to each high-needs school implementing a breakfast after the bell program under this

section. Grant funds provided under this section must be used for the costs associated with launching a breakfast after the bell program, including but not limited to equipment purchases, training, additional staff costs, and janitorial services.

(6) The legislature does not intend to include the programs under this section within the state's obligation for basic education funding under Article IX of the state Constitution.

**NEW SECTION. Sec. 10.** A new section is added to chapter 28A.235 RCW to read as follows:

(1) Before January 2, 2019, the office of the superintendent of public instruction shall develop and distribute procedures and guidelines for the implementation of section 3 of this act that comply with federal regulations governing the school breakfast program. The guidelines and procedures must include ways schools and districts can solicit and consider the input of families regarding implementation and continued operation of breakfast after the bell programs. The guidelines and procedures must also include recommendations and best practices for designing, implementing, and operating breakfast after the bell programs that are based upon the implementation and operational experiences of schools of differing sizes and in different geographic regions of the state that have implemented breakfast after the bell programs.

(2) The office of the superintendent of public instruction shall offer training and technical and marketing assistance to all public schools and school districts related to offering breakfast after the bell, including assistance with various funding options available to high-needs schools such as the community eligibility provision under 42 U.S.C. Sec. 1759a(a)(1), programs under provision two of the national school lunch act, and claims for reimbursement under the school breakfast program.

(3) In accordance with this section, the office of the superintendent of public instruction shall collaborate with nonprofit organizations knowledgeable about equity, the opportunity gap, hunger and food security issues, and best practices for improving student access to school breakfast. The office shall maintain a list of opportunities for philanthropic support of school breakfast programs and make the list available to schools interested in breakfast after the bell programs.

(4) The office of the superintendent of public instruction shall incorporate the annual collection of information about breakfast after the bell delivery models into existing data systems and make the information publicly available.

**Sec. 11.** RCW 28A.150.205 and 1992 c 141 s 502 are each amended to read as follows:

Unless the context clearly requires otherwise, the definition in this section applies throughout RCW 28A.150.200 through 28A.150.295.

"Instructional hours" means those hours students are provided the opportunity to engage in educational activity planned by and under the direction of school district staff, as directed by the administration and board of directors of the district, inclusive of intermissions for class changes, recess, and teacher/parent-guardian conferences that are planned and scheduled by the district for the purpose of discussing students' educational needs or progress, and exclusive of time actually spent for meals. If students are provided the opportunity to engage in educational activity concurrently with the consumption of breakfast, and the provision of breakfast allows the regular instructional program to continue functioning, the period of time designated for student participation in breakfast after the bell, as defined in section 2 of this act, must be considered instructional hours.

**NEW SECTION. Sec. 12.** A new section is added to chapter 28A.235 RCW to read as follows:

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The office of the superintendent of public instruction, school districts, and affected schools shall implement sections 2 through 4, chapter . . . , Laws of 2018 (sections 2 through 4 of this act) only in years in which funding is specifically provided for the purposes of chapter . . . , Laws of 2018 (this act), referencing chapter . . . , Laws of 2018 (this act) by bill or chapter number or statutory references, in a biennial or supplemental operating budget.

**Sec. 13.** RCW 28A.235.150 and 1993 c 333 s 3 are each amended to read as follows:

(1)(a) To the extent funds are appropriated for this specific purpose, the superintendent of public instruction may award grants to school districts to:

(i) Increase awareness of and participation in school breakfast and lunch programs(~~(, and to)~~), including breakfast after the bell programs;

(ii) Improve program quality(~~(, and to)~~), including the nutritional content of program food and the promotion of nutritious food choices by students;

(iii) Promote innovative school-based programs, including but not limited to developing organic gardens that produce used in school breakfast or lunch programs; and

(iv) Improve the equipment and facilities used in the programs.

(b) If applicable, school districts shall demonstrate that they have applied for applicable federal funds before applying for funds under this subsection.

(2) To the extent funds are appropriated for this specific purpose, the superintendent of public instruction shall increase the state support for school breakfasts and lunches, including breakfast after the bell programs.

(3) As used in this section, "breakfast after the bell" has the definition in section 2 of this act.

**NEW SECTION. Sec. 14.** A new section is added to chapter 28A.235 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction may coordinate with the department of agriculture to promote and facilitate new and existing regional markets programs, including farm-to-school initiatives established in accordance with RCW 15.64.060, and small farm direct marketing assistance in accordance with RCW 15.64.050. In coordinating with the department of agriculture, the office of the superintendent of public instruction is encouraged to provide technical assistance, including outreach and best practices strategies, to school districts with farm-to-school initiatives.

(2) Subject to the availability of amounts appropriated for this specific purpose, the regional markets programs of the department of agriculture must be a centralized connection point for schools and other institutions for accessing and sharing information, tools, ideas, and best practices for purchasing Washington-grown food.

(a) In accordance with this subsection (2), program staff from the department of agriculture may provide:

(i) Scale-appropriate information and resources to farms to help them respond to the growing demand for local and direct marketed products; and

(ii) Targeted technical assistance to farmers, food businesses, and buyers, including schools, about business planning, access to markets, product development, distribution infrastructure, and sourcing, procuring, and promoting Washington-grown foods.

(b) In accordance with this subsection (2), program staff from the department of agriculture may provide technical assistance to:

(i) Support new and existing farm businesses;

(ii) Maintain the economic viability of farms;

(iii) Support compliance with applicable federal, state, and local requirements; and

(iv) Support access and preparation efforts for competing in markets that are a good fit for their scale and products, including schools and public institutions, and direct-to-consumer markets that include, but are not limited to, farmers' markets, local retailers, restaurants, value-added product developments, and agritourism opportunities.

(3) Subject to the availability of amounts appropriated for this specific purpose, the regional markets programs of the department of agriculture may support school districts in establishing or expanding farm-to-school initiatives by providing information and guidance to overcome barriers to purchasing Washington-grown food. In accordance with this subsection (3), regional markets program activities may include, but are not limited to:

(a) Connecting schools and other institutions with farmers and distribution chains;

(b) Overcoming seasonality constraints;

(c) Providing budgeting assistance;

(d) Navigating procurement requirements; and

(e) Developing educational materials that can be used in cafeterias, classrooms, and in other educational environments.

(4) Subject to the availability of amounts appropriated for this specific purpose, school districts and other institutions may coordinate with the department of agriculture to promote and facilitate new and existing farm-to-school initiatives. School district representatives involved in these initiatives may include, but not limited to, school nutrition staff, purchasing staff, student representatives, and parent organizations.

(5) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction may award grants to school districts to collaborate with community-based organizations, food banks, and farms or gardens for reducing high school dropout occurrences through farm engagement projects. Projects established by school districts that receive grants in accordance with this section must:

(a) Primarily target low-income and disengaged youth who have dropped out or who are at risk of dropping out of high school; and

(b) Provide participating youth with opportunities for:

(i) Performing community service, including, but not limited to, building food gardens for low-income families, and work-based learning and employment during the school year and summer through farm or garden programs;

(ii) Earning core and elective credits applied toward high school graduation, including but not limited to, science, health, and career and technical education credits;

(iii) Receiving development support and services, including social and emotional learning, counseling, leadership training, and career and college guidance; and

(iv) Improving food security for themselves and their community through the project.

**NEW SECTION. Sec. 15.** A new section is added to chapter 28A.235 RCW to read as follows:

(1) The joint legislative audit and review committee shall conduct an analysis of breakfast after the bell programs established in schools in accordance with section 3 of this act. The analysis of the schools establishing breakfast after the bell programs shall include a review of any changes in student:

(a) Tardiness and absenteeism;

(b) Suspensions;

(c) Reported illnesses and visits to nurses' offices;

(d) Results on standardized tests; and

(e) Graduation rates.

(2) The analysis shall also include a review of the outcomes of similar programs or efforts in other states.

(3) The office of the superintendent of public instruction and the education and research data center of the office of financial management shall assist in providing any data required to conduct the analysis. The analysis, including any findings and recommendations, must be completed and submitted to the superintendent of public instruction and, in accordance with RCW 43.01.036, the education committees of the house of representatives and the senate by December 1, 2026.

**NEW SECTION. Sec. 16.** Sections 3, 4, and 6 of this act expire June 30, 2028.

**NEW SECTION. Sec. 17.** This act may be known and cited as the Washington kids ready to learn act of 2018."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "promoting student health and readiness through meal and nutrition programs; amending RCW 28A.150.205 and 28A.235.150; adding new sections to chapter 28A.235 RCW; creating new sections; and providing an expiration date."

#### MOTION

Senator Fain moved that the following amendment no. 355 by Senators Fain and Mullet to the striking amendment be adopted:

On page 3, line 32 of the amendment, after "include the" insert "breakfast after the bell"

On page 3, line 33 of the amendment, after "section" insert ", including the provision of breakfast,"

On page 3, line 33 of the amendment, after "the" strike "state's obligation for" and insert "definition or funding of the program of"

On page 3, at the beginning of line 34 of the amendment, strike "funding"

On page 4, at the beginning of line 35 of the amendment, insert "(1)"

On page 5, beginning on line 3 of the amendment, after "meals." strike all material through "hours." on line 9 and insert the following:

"(2)(a) If students are provided the opportunity to engage in educational activity that is part of the regular instructional program concurrently with the consumption of breakfast, the period of time designated for student participation in breakfast after the bell, as defined in section 2 of this act, must be considered instructional hours.

(b) Breakfast after the bell programs, as defined in section 2 of this act, including the provision of breakfast, are not considered part of the definition or funding of the program of basic education under Article IX of the state Constitution."

Senators Fain and Wellman spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 355 by Senators Fain and Mullet on page 3, line 32 to striking amendment no. 356.

The motion by Senator Fain carried and amendment no. 355 was adopted by voice vote.

Senators Zeiger and Wellman spoke in favor of adoption of the striking amendment as amended.

The President declared the question before the Senate to be the adoption of striking amendment no. 356 by Senator Zeiger as amended to Senate Bill No. 6003.

The motion by Senator Zeiger carried and striking amendment no. 356 as amended was adopted by voice vote.

#### MOTION

On motion of Senator Wellman, the rules were suspended, Engrossed Senate Bill No. 6003 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman, Zeiger, Rolfes, Takko, Walsh and Kuderer spoke in favor of passage of the bill.

Senator Honeyford spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6003.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6003 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Sheldon, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman and Zeiger

Voting nay: Senators Angel, Brown, Ericksen, Honeyford, Padden, Schoesler, Short and Wilson

Excused: Senator Baumgartner

ENGROSSED SENATE BILL NO. 6003, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5766, by Senators Liias, Pedersen, Billig, Fain, Hunt, Keiser, Kuderer and Saldaña

Preventing harassment, intimidation, and bullying in public schools. Revised for 1st Substitute: Preventing harassment, intimidation, bullying, and discrimination in public schools.

#### MOTIONS

On motion of Senator Liias, Substitute Senate Bill No. 5766 was substituted for Senate Bill No. 5766 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Liias, the rules were suspended, Substitute Senate Bill No. 5766 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias, Zeiger, Wellman, Ranker and Pedersen spoke in favor of passage of the bill.

Senators Brown, Braun, Angel and Wilson spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5766.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute

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Senate Bill No. 5766 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 18; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Fain, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, McCoy, Mullet, Nelson, O'Ban, Palumbo, Pedersen, Ranker, Rolfes, Saldaña, Sheldon, Takko, Van De Wege, Walsh, Wellman and Zeiger

Voting nay: Senators Angel, Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Honeyford, King, Miloscia, Padden, Rivers, Schoesler, Short, Wagoner, Warnick and Wilson

Excused: Senator Baumgartner

SUBSTITUTE SENATE BILL NO. 5766, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Liias, the Senate advanced to the seventh order of business.

#### THIRD READING

SECOND SUBSTITUTE SENATE BILL NO. 5342, by Senate Committee on Ways & Means (originally sponsored by Senators King, Takko, Pearson and Pedersen)

Concerning the distribution of monetary penalties to local courts and state agencies paid for failure to comply with discover pass requirements.

The bill was read on Third Reading.

Senators King and Van De Wege spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5342.

#### ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5342 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senator Hasegawa

Excused: Senator Baumgartner

SECOND SUBSTITUTE SENATE BILL NO. 5342, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Liias, the Senate reverted to the sixth order of business.

#### SECOND READING

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 4400, by Representatives Cody, Kagi, Johnson, Appleton, Frame, Ormsby, Jinkins, Short, Young, DeBolt, Hudgins and Tarleton

Naming the 1063 Building "The Helen Sommers Building." (REVISED FOR ENGROSSED: Naming the 1063 Building "Helen Sommers Building.")

The measure was read the second time.

#### MOTION

On motion of Senator Hunt and without objection, the following committee amendment by the Committee on State Government to Engrossed House Concurrent Resolution No. 4400 was not adopted:

Beginning on page 1, line 1, strike all material through page 2, line 33 and insert the following:

"WHEREAS, Representative Helen Sommers honorably and distinguishably served the people of the 36th Legislative District for thirty-six years; and

WHEREAS, Representative Sommers chaired with distinction five different House committees: State Government, Revenue, Higher Education, Capital Budget, and Appropriations; and

WHEREAS, Many generations of Washington students owe a debt of gratitude to Representative Sommers for her unwavering belief in the benefits of a good education; and

WHEREAS, Although the intricacies of pension law confounded many public policy experts, her persistent dedication to the sometimes obscure principles of pension funding has ensured a stable, well-funded pension system for the taxpayers and public employees of the state; and

WHEREAS, Representative Sommers' service spanned seven governors, nine speakers, and countless legislators; and

WHEREAS, As a very young woman, Helen Sommers had the courage to leave her home in New Jersey to live and work in Venezuela; and

WHEREAS, Representative Gary Alexander, the former ranking member of the House Appropriations Committee, said that, "I hope someday there will be a building named on this Capitol Campus for one of the great leaders in our budgetary operations in the state"; and

WHEREAS, Although as tough as the budget can be and as contentious as it can be, Appropriations Committee members always had a laugh. They got along due to the fact that Representative Sommers ran the meeting in a fashion where everyone was treated with respect; and

WHEREAS, Representative Sommers brought a University of Washington arborist to Olympia to identify and photograph the many beautiful and unique trees on the Capitol Campus and then had a booklet printed to provide a self-guided tour of twenty of the most interesting trees; and

WHEREAS, Over her many years in the Legislature, various members have used many different words when describing their relationship with Representative Sommers, including: Trepidation, intimidation, fear, love, but most often, respect; and

WHEREAS, The Legislature is authorized to approve names for certain state facilities based on recommendations from the State Capitol Committee and the Department of Enterprise Services, with the advice of the Capitol Campus Design Advisory Committee and subject to specific criteria; and

WHEREAS, The Washington State Legislature wishes to

honor Representative Sommers with a lasting memorial to her dedication and service in the Legislature;

NOW, THEREFORE, BE IT RESOLVED, By the Washington State House of Representatives, the Washington State Senate concurring, That the new state office building commonly referred to as the "1063 Building" be named the Helen Sommers Building; and

BE IT FURTHER RESOLVED, That the Department of Enterprise Services place the name "Helen Sommers Building" on the new office building; and

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to Helen Sommers; the Honorable Jay Inslee, Governor of the State of Washington; and Chris Liu, Director of the Department of Enterprise Services."

#### WITHDRAWAL OF AMENDMENT

On motion of Senator Hunt and without objection, the following amendment no. 352 by Senator Hunt on page 2, line 31 to Engrossed House Concurrent Resolution No. 4400 was withdrawn::

On page 2, line 31, after "forwarded to" insert "Joan Couch, sister of"

#### MOTION

On motion of Senator Hunt, the rules were suspended, Engrossed House Concurrent Resolution No. 4400 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt, Carlyle, Keiser, Sheldon, Braun and Walsh spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the final passage of Engrossed House Concurrent Resolution No. 4400.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Concurrent Resolution No. 4400 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson and Zeiger

Excused: Senator Baumgartner

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 4400, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Liias, the Senate advanced to the seventh order of business.

#### THIRD READING

SUBSTITUTE SENATE BILL NO. 5064, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Fain, Rolfes, Rivers, Pedersen, Ranker, Mullet, Billig, Becker, Braun, King, Darneille, Chase, Carlyle and Palumbo)

Concerning freedom of expression rights of students at public schools and institutions of higher education.

The bill was read on Third Reading.

Senators Fain, Wellman and Carlyle spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5064.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5064 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 5; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Palumbo, Pedersen, Ranker, Rolfes, Saldaña, Schoesler, Sheldon, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senators Ericksen, Honeyford, Padden, Rivers and Short

Excused: Senator Baumgartner

SUBSTITUTE SENATE BILL NO. 5064, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PERSONAL PRIVILEGE

Senator Conway: "You know we had some really sad news over the weekend and a loss of some really great leaders in our state, but one that also passed away was a good friend Richard King, Dick King. Dick was a, I served with Dick in the House for many years and Dick actually was a real force of the Commerce & Labor Committee in the decades of the 1980s and 1990s, and eventually lobbied here for the International Brotherhood of Electrical Workers, as well. A real strong spokesperson for working families in this state. I can remember him being my mentor when I first arrived in '93 here and his encouragement of standing strong for working families. Dick was a gentleperson, a good person. Served in the Senate and in the House and we'll miss him. I really want to send my condolences to his family and express my sorrow on the loss of Dick King."

#### PERSONAL PRIVILEGE

Senator Sheldon: "Thank you Mr. President. I just also want to rise and recognize Dick. Dick King was the Chair of the Fish & Wildlife Committee when I started in 1991. And in those days, the Boldt decision had already happened, there was a lot of commercial fisherman who were still very active here and lobbying, many of them were part-time fishermen, and many were teachers actually. But Dick was a good chairman, he

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listened to everybody, he worked very hard, and I think he served for thirty years here. So, I just wanted to remember Dick as a very good representative from the Everett area. Thank you.”

REMARKS BY THE PRESIDENT

President Habib: “Thank you Senator Conway, Senator Sheldon for those remarks. And on behalf of the Senate, we send our condolences to his family and of course we will have an opportunity this next year as we commemorate all of those of whom we have lost over this past year. We will have an opportunity to memorialize him and thank you for bringing that to the attention of the body.”

EDITOR’S NOTE: Representative Dick King, 1934 - 2018, served in the House from 1965 until 1995 representing the 38<sup>th</sup> Legislative District, Snohomish County.

MOTION

At 12:36 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o’clock noon Monday, January 22, 2018.

Senator McCoy announced a meeting of the Democratic Caucus immediately upon adjournment.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

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